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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,140	06/14/2001	Felice Vinati	34752/GM/ch	5740

7590 06/14/2005

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NEW YORK,, NY 10036-8403

EXAMINER
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SONG, HOSUK

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/880,140

Applicant(s)

VINATI ET AL.

Examiner

Hosuk Song

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,8-11 and 14 is/are rejected.
- 7) ☒ Claim(s) 3,4,6,7,12,13,15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Please note that the application has been docketed to a different examiner. Please refer all future communications regarding this application to the examiner of record, using the information supplied in the final section of the office action.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2,5,8-9,10-11,14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dulai et al(US 6,615,263) in view of Boyles et al(US 6,738,901).

Claims 1,5: Dulai disclose calculating a user's connection time that represents at least an amount of time that the user is connected to the data communication network in (col.6,lines 12-15,20-28). Dulai disclose comparing the user's connection time with information which represents appropriate connection times and automatically interrupting the user's connection to the data communication network when the user's connection time exceeds the appropriate connection time in (col.6,lines 12-15,20-28). Dulai does not specifically disclose associating the user with age group when the user connects to the data communication network. Boyles patent disclose this limitation in (col.1,lines 39-50). It would have been obvious to person of ordinary skill in the art at the time invention was made to manage internet activity according to different age groups as disclosed in Boyle with system of Dulai in order to prevent under age user from surfing the Internet unlimited time where user can be vulnerable for cyber attack and exposed to inappropriate content for the under age users.

Claim 2: Dulai disclose calculating the sum of one or more connections established by the user during a given time interval in (col.7,lines 21-35).

Claims 8,9: Dulai disclose identifying a profile of the user connected to data communication network and calculating a time for which the user is connected to data communication network in (fig.2 and col.6,lines 12-15,20-28). Dulai disclose automatically disconnecting the user from data communication network if user connection time exceeds maximum allowable connection time in (col.6,lines 12-15,27-29). Dulai does not specifically disclose associating the user with age group when the user connects to the data communication network. Boyles patent disclose this limitation in (col.1,lines 39-50). It would have been obvious to person of ordinary skill in the art at the time invention was made to manage internet activity according to different age groups as disclosed in Boyle with system of Dulai in order to prevent under age user from surfing the Internet unlimited time where user can be vulnerable for cyber attack and exposed to inappropriate content for the under age users.

Claims 10,14: Dulai disclose a connection module that references that profile when the user connects to the data communication network and a time calculation module that calculates a user's connection time to represent at least an amount of time that the user is connected to the data communication network in (fig.2 and col.6,lines 12-15,20-28). Dulai disclose automatically disconnecting the user from data communication network if user connection time exceeds maximum allowable connection time in (col.6,lines 12-15,27-29). Dulai does not specifically disclose associating the user with age group when the user connects to the data communication network. Boyles patent disclose this limitation in (col.1,lines 39-50). It would have been obvious to person of ordinary skill in the art at the time invention was made to manage internet activity according to different age groups as disclosed in Boyle with system of

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Dulai in order to prevent under age user from surfing the Internet unlimited time where user can be vulnerable for cyber attack and exposed to inappropriate content for the under age users.

Claim 11: Dulai disclose time calculation module calculates the sum of the one or more connections established by the user during a given time interval in (col.7,lines 21-35).

***Allowable Subject Matter***

3. Claims 3-4,6-7,12-13,15-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Applicant's arguments***

4. Claims 1-16 are pending. The previous grounds of rejection based on the Skopp patent is withdrawn in view of Applicant's arguments in the Amendment filed on 3/28/05. However, newly discovered prior art has necessitated new grounds of rejection. The new grounds of rejection are presented above.

***USPTO Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HS

A handwritten signature in black ink, appearing to read 'Hosuk Song', with a long horizontal stroke extending to the right.

Hosuk Song  
Primary Examiner  
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